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June 13, 2022

*Via ECF*

The Honorable Sarah Netburn  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) to request leave to schedule an expert deposition out of time for reasons related to the health of the witness. The Plaintiffs’ Executive Committees (“Plaintiffs”) join in this letter. Dallah Avco does not oppose this request.

On April 1, 2022, Plaintiffs served on Saudi Arabia and Dallah Avco an expert report from Pilot Barry Schiff, and the parties discussed several potential June dates for his deposition. Plaintiffs have advised Saudi Arabia that they learned on June 9 that the witness will require surgery that is scheduled for June 15, and will require three weeks after that time to recover. Plaintiffs have further advised that the witness is currently taking pain medication that would interfere with his ability to testify before June 15.

The Court has ordered that all expert discovery must be completed by July 1, 2022. *See* ECF No. 7117. In light of the medical circumstances set out above, which were not known to or anticipated by the parties or the Court at the time of the Court’s order, Plaintiffs and Saudi Arabia respectfully request leave to schedule the Schiff deposition on July 11. The parties expect to complete all other expert discovery by the scheduled deadline.

In addition, the parties are currently meeting and conferring about scheduling issues after the close of expert discovery. Plaintiffs and Saudi Arabia agree that the scheduling of the Schiff deposition should not prejudice any scheduling proposal that Plaintiffs, Saudi Arabia and Dallah Avco may submit to the Court.

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Respectfully submitted,

*/s/ Gregory G. Rapawy*

Gregory G. Rapawy  
*Counsel for the Kingdom of Saudi Arabia*

cc: All MDL Counsel of Record (via ECF)